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January 22, 2016

BY ECF

Honorable Gregory H. Woods
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMORANDUM ENDORSED

Re: Alejandro v. City of New York, et al.
15-CV-06482 (GHW)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the Office of the Corporation Counsel, and assigned to represent defendant The City of New York (hereinafter referred to as “Defendant”) in the above-referenced matter. I write on behalf of the parties to respectfully: (1) provide a status report as to the Civilian Complaint Review Board’s (“CCRB”) prosecution of the individual defendant, Lieutenant Jorge Tavarez; and, (2) request that the stay of this matter be continued accordingly.

By way of background, plaintiff alleges, *inter alia*, that on or about June 29, 2014, he was falsely arrested and subjected to excessive force. See generally, Complaint. Plaintiff names the City of New York, Lieutenant Jorge Tavarez (hereinafter referred to as “Lt. Tavarez”), and unidentified police officers as defendants. The CCRB’s Administrative Prosecution Unit (“APU”), is currently prosecuting this matter. The assigned prosecutor, Executive Agency Counsel Vanessa McEvoy, informs the undersigned that the matter is currently in discovery and that she has requested (although not yet been granted) a pretrial conference in early March. Although a timeframe is speculative, she anticipates that a trial of this matter is likely, and that same would likely occur in early May of 2016. Accordingly, because the CCRB’s prosecution is highly unlikely to be resolved within the next sixty days, and for the reasons set forth in Defendant’s Letter dated November 13, 2015, the parties respectfully request that the stay of this matter be continued, and respectfully propose that the parties be permitted to file a status report on the progress of the CCRB’s prosecution on or before March 22, 2016.

Thank you for your consideration herein.

Respectfully submitted,

/s/

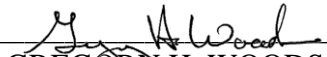
Daniel H. Oliner
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Baree Nichole Fett
Harvis & Fett LLP
Attorneys for plaintiff
(via ECF)

The parties' joint request that the stay of this action be continued is granted. This action is stayed until March 29, 2016, without prejudice to requests for extensions of the stay. The parties are ordered to submit a joint letter to the Court via ECF updating the Court on the status of this action by March 22, 2016. Plaintiff is directed to serve a copy of this order on all defendants who are not represented by counsel in this action and to retain proof of service.

SO ORDERED.

Dated: January 26, 2016
New York, New York



GREGORY H. WOODS
United States District Judge